



Town Council Meeting Minutes
October 6, 2021 @ 7:00 pm
VIA TOWN HALL & CONFERENCE CALL

Due to Public Health Concerns related to the Pandemic, all scheduled meetings will be held via electronic means. Residents will be able to view documents posted to the meeting tab on the Town website at www.townsend.delaware.gov or by joining the meeting via computer.

Those wishing to attend may dial 1(301)715-8592. When directed, provide the following meeting ID 82764217575# and then the following password 361631# to enter the meeting.

If you choose to access the meeting online click the following link:

<https://us02web.zoom.us/j/82764217575?pwd=aHI4RDhTZ0xjME1HV0ZOcHRxSHZ3QT09>

7:00 pm

- I. Call to Order:** The meeting was called to order at 7:04 p.m. by Mayor Patrick Miller.
- II. Opening Ceremonies:**
 - a. Roll Call:**
 1. The following Council and staff were present with electronic access available for guests: Mayor P. Miller, Councilwoman E. Clarke, Councilman E. Dugan, Councilman J. Mertz, Councilman Lobdell, Town Manager A. Mangeri, Deputy Town Manager/Town Clerk A. Tantillo, Town Attorney F. Townsend, Town Engineer E. Van-Otoo, and Lt. Chris Popp, DSP.
 - b. Pledge of Allegiance:**
 - c. Recognition of Visitors:** Present guests included New Castle County Councilman Dave Carter, Ms. Wolfe, Mr. Fitzhugh, Mrs. Miller, Mr. Longo, Mrs. Longo, and Ms. Smith.
 - d. Announcements:** CM Mertz announced that he will be hosting a food drive at his home along West Founds Street from October 1st through October 31st, donations will be donated to the Food Bank.
- III. Adoption of Agenda:**
 - a. CM Lobdell made a motion to adopt the agenda. CM Dugan seconded the motion. Vote: Voice vote of Council- all yea's, no nays.**
- IV. Approval / Rejection of Minutes**
 - a. Approval/ Rejection of Council Minutes from the September 22nd, 2021, Town Council Workshop Meeting.**
 1. *CM Dugan made a motion to approve the Council Minutes from the September 22, 2021, Town Council Workshop Meeting. CM Lobdell seconded the motion. Vote: Voice vote of Council- all yea's, no nays.*
- V. State Police:**
 - a. An update on September 2021 activity.**
 1. Discussed during the Public Safety Committee report.
- VI. Mayor's Report:**
 - a. Discussion on advance planning for the Spring Townsend Fair.**

1. Mayor Miller shared that he would like to begin having conversations to plan for a spring fair event. CM Lobdell shared that the Community Engagement Committee would like to setup a meeting to discuss this and will be sure to be mindful of surrounding area events, Middletown High School events, and spring breaks.
- b. ACTION ITEM: Discussion and possible vote on repair/replacement of defaced sidewalk section on Ginn St.**
1. TM Mangeri shared that he was contacted by a resident who may have some information about the defaced sidewalk and who may have done it. TM Mangeri will handle the issue with the person who may have done this act.
 2. Mayor Miller shared that the estimated repair cost for the sidewalk is within the Town Managers spending limit of \$1,000 at an estimate of \$800. TM Mangeri shared that the cost was high due to the density, 5-inch depth of the area, and the need to pay for the load to come into Town.
 3. Mayor Miller advised TM Mangeri to coordinate the repairs.
- c. Discussion regarding multi-stage approach to the maintenance facility and old Town Hall renovation.**
1. Mayor Miller shared that the public would have the opportunity to comment if a vote is necessary. Each member will be able to have three minutes to comment on the item to be voted on.
 2. TM Mangeri shared that he has reached out to a variety of bidders to ask what old Town Hall needed to be repaired. Three bidders were asked to evaluate the building and determine what would be needed to restore the building. TM Mangeri asked three bidders, per Town policy and the repairs were estimated below \$50,000, which is the limit for capital expenses. One bid was not returned on time and was considered a no bid, one bid was for \$109,000, which seemed excessive, and a third bid was for \$33,000. The lowest bidder is a local builder who is familiar with the Town. This was the most reasonable cost and does not include the scope of gutting the building as the contractor feels the building does not need a complete gut, given the nature and duration of the building, the remodeling and restoration is acceptable for operating conditions. This bid includes exterior repairs, seal, paint, and trim, new floors and doors where appropriate, and other items. With police stations, there is a requirement for buildings to have steel doors that are armored or protected. The building already has an alarm system and a fire alarm system. The bid also includes renovating the bathroom to make it ADA compliant, which is a requirement. The bid also includes adding HVAC, as Council is aware, it is costly to heat the old town hall and the cheapest way to convert the building from propane to electric is by putting in mini splits to have the air conditioner on the wall to provide heat and cooling to the building. TM Mangeri's recommendation to Council is to select the lowest and most succinct bid, which is the \$33,000 bid.
 3. Mayor Miller shared that this will be voted on later in the meeting.
 4. Mayor Miller also shared so all are aware that this is being done to address the Town's long-term plan. The old town hall currently looks terrible and is used as a maintenance facility with the Conex boxes for storage. Additionally, initiating remodeling and restoration to old town hall will allow the Town to initiate Police

department specifications, such as steel doors and other items. Additionally, considerations are being made to add a maintenance building for the Towns expensive equipment in a safe and secure facility. Additionally, Council has reviewed the area and building and has determined it would be good for the Police department, as all know, the Police department is being established. This will also clean up the area by allowing the Connex boxes to be removed, the old town hall to be restored and a maintenance facility is to be created; the building will be safe and secure, and the Town can reduce the cost to heat the old town hall. Like all things, Council tries to maintain their fiscal responsibility and find the cheapest way to restore the building and reduce waste, so using the building will allow for this, to refurbish the inside and clean up the outside of the building and have facilities for Police and Maintenance.

5. Mayor Miller shared that one of the items going around is that the Council will be raising tax money for the facilities and Mayor Miller advised that if Council has not announced raising tax money, residents do not need to worry about that happening. A lot of the work is being completed with public sources, such as grants, like the CAREs Act. TM Mangeri shared that the Town is looking into various funding sources in the best interest of the Town, and he is trying to get as many pre-approvals through the CAREs Act as possible. The renovations to old town hall, are being proposed for CAREs Act pre-approval. This will eventually provide cost effectiveness and will expand working space to encourage social distancing. Mayor Miller reiterated that the Town is exploring funding options to eliminate financial burdens on the Town and that this is the direction the Town is heading in, finding funding sources, grants, etc. Additionally, the Town does have a budget with budget for capital improvement dollars for these types of items.
6. This item will continue to be discussed under TM Mangeri's report for vote.

VII. Reports:

a. Town Attorney Fred Townsend III

1. TA Townsend shared that he has been working to assist the Town in preparing agenda item VII. b., which will require Council action. He is prepared to discuss this item with Council later in the meeting.

b. Town Engineer Edwin Van-Otoo

1. An update on Town Engineering Projects.
2. TE Van-Otoo shared that he met with the developer, Handler Homes, the week prior to discuss the progress of punch list items along Kaitlyn Drive, not yet completed, to date. The intersection of Caldwell Corner is not complete to date. The developer plans to complete the punch list by the end of the year.
3. Regarding the TVII open space at South and Ginn Streets, TE Van-Otoo shared that he will be meeting with the developers' engineers for how to handle the soil. The developer is stating that there are over three hundred truckloads of soil to move out of the area, if the Town decides to go in that direction. TE Van-Otoo is awaiting a possible alternative proposal to be approved by the Conservation district and the information will be forthcoming.

4. Regarding the Woods at Hidden Creek, TE Van-Otoo shared that the developers are currently installing a pumpstation and there are other lot approvals they are awaiting approval. Mayor Miller asked if the developer had addressed the Planning Commission questions regarding the overlay for the parking lot for the clubhouse map. TE Van-Otoo shared that this request is forthcoming.
5. TE Van-Otoo shared that regarding Townsend Acres, the Town has received the response from himself, the Town Engineer, and the Fire Company. Those comments have been forwarded to the Planning Commission and the Planning Commission responses are needed.
6. Regarding the Tennis/ Pickleball court, TE Van- Otoo has reached out to the contractor, Gessler Construction to reseed the bare areas for which there was a 5% retainage held until completion. There was a delay in reseeding due to rain, but the work is expected to be completed in the near future.
7. Regarding the Wastewater Treatment Feasibility Study, there will be a status update meeting with DNREC to gather information on Town flow data and annexed areas.
8. TE Van-Otoo shared that regarding the intersection improvements of Route 71 and Karins Blvd, he is working with the Town Manager and contractors to obtain price quotes; he currently has three quotes and is reviewing them to ensure each quote is inclusive of the information necessary. Del DOT originally approved the intersection ten years ago, so the entire plan may not be completed for the improved plan previously approved for MS Development and TE Van-Otoo is awaiting modifications to the plan to include the wearing surface, the inlet, there is an outfall structure that needs additional rock placement and line striping.
9. TE Van-Otoo shared that the two-year maintenance bond for Wiggins Mill Frontage Road is due to expire on October 24th. The HOA has no outstanding issues and TE Van-Otoo also reviewed the area and found it to be in good working order with no repairs necessary.
10. TE Van-Otoo and TM Mangeri met at Town Hall with Advanced Solar to review the solar array to the back of Town Hall. The array is working but there are options to repair portions of the old panels. TE Van-Otoo is reaching out to the contractor for a proposal for additional arrays to add to generate additional cost savings for Town Hall. A quote will be obtained for all nine arrays to be repaired. Additionally, TM Mangeri asked TE Van-Otoo to obtain price quotes for additional solar panel arrays to possibly generate additional cost savings to Town Hall. These quotes are forthcoming.
11. TE Van-Otoo shared that as mentioned earlier, the Town is looking to add a pole barn building for the maintenance facility. TE Van-Otoo is working on specifications and getting price quotes for this. He also recently received survey information so he could prepare a layout for the area by the end of the month.
12. CM Mertz asked if the maintenance bonds covered trees as a few trees were lost throughout the winter. TE Van-Otoo asked for clarification on which trees and CM Mertz will provide that information to TM Mangeri and TE Van-Otoo.
13. The sinkhole at 527 Ginn St was repaired with one outstanding issue, which was a back filled hole; was not filled properly. TE Van-Otoo is working with the

contractor to have that properly repaired and will ensure it is completed in accordance with the scope of the project. Once done the project will be completed. Mayor Miller asked if there was a way to test the issue. TE Van-Otoo advised that sand had been seeping through, but it has now been repaired and the joints have been checked and are satisfactory.

c. Town Manager

1. Status update on the COVID-19 pandemic.
 - a. TM Mangeri shared that per guidance from the state and CDC, those entering Town Hall must wear a mask and all have been doing so. Those under the age of two are advised not to wear a mask due to risk of suffocation. Regarding COVID in the state, in the 19734 zip-code, he is alarmed to report that the percent of persons testing positive have significantly risen over the last month. The beginning of September had an average of those testing positive of 24.9% of those tested. As of October 5th, the average is 35%. On October 5th, the daily percent positive was 50% for the day. There were 67 new cases in the last seven days in the 19734 zip-code alone. There is now a reported average of 9.6 new cases per day. Nationally, the numbers are understood to be dropping, but locally, they are not. This is up from an average of four new cases per day only one month ago.
 - b. The office is open to residents by appointment and the Town is accepting walk-ins as well. Those entering Town Hall must wear a mask.
2. A report on Town Administrative activities
 - a. TM Mangeri shared that after careful consideration, a candidate for Police Chief has been selected. This will be discussed later on in the meeting.
 - b. TM Mangeri shared regarding the Ginn St. vandalism was discussed earlier in the meeting. Vandalism is a concern there and the Town is moving forward with the issue.
 - c. The chimney repairs in Town Hall have been completed, there was a significant breakdown of one of the chimneys causing water to come in. The mortar has been pointed and there should be far less water. The humidity and smell have also decreased due to this.
 - d. Regarding the Comprehensive Plan, TM Mangeri has met with the Cabinet Committee on planning issues and has granted the extension for the plan until January 2022. By this date, this must go through a second PLUS review, Council's approval, and submittal to the state. PLUS is not submittal to the state, it is an informal review by state agencies, and this still must be submitted to the state by January 18th, 2022. One out of the hands of the Planning Commission, this will move along to PLUS. For awareness, Middletown, New Castle County, and possibly Odessa must also be provided the opportunity to comment on the plan. Once sent for second PLUS review, this will also be sent to those jurisdictions.

- e. Regarding the sink holes on Brooke Ramble Ln., the Town wants to make sure the pipe is sufficient before repairing the two minor sinkholes, so the Town is looking at how to televise the pipes and get them repaired.
 - f. Regarding streetlights in TVI, Delmarva has installed streetlights along Helen Drive. One streetlight was not working properly, and Delmarva has been notified and repaired the issue. They are now working on installing streetlights on Kaitlyn Drive with an expected installation around Christmas, give or take time, pending good weather.
 - g. TM Mangeri shared that in the month of September there were seven contractors' licenses issued and one rental license issued.
 - h. Additionally, in September there were 15 permits issued, seven permits closed and issued Certificates of Occupancy and issued a final approval letter, and 25 inspections completed.
 - i. The Town received four complaints during the month of September. One complaint was regarding a sink hole in front of a property on South St related to Artesian work. TM Mangeri contacted Artesian to review the issue. One complaint was regarding feral cats on a property and a homeowner feeding them. The homeowner was contacted and agreed to not feed the feral cats. TM Mangeri is working with the homeowners. The complainant is saying the homeowners are still feeding feral cats. There is a feral cat problem, but we are unsure of what to do about it. Surprisingly, animal welfare does not handle cats, only dogs. There are specific entities that handle cats and they're overloaded. TM Mangeri is continuing to work on the issue. A violation notice was issued to the homeowner who agreed to stop feeding the cats. One complaint was regarding a dog barking in the front yard of a property. One complaint was regarding overgrown grass at a property. The property was posted, per the ordinance and a violation letter was sent.
3. A status update on properties of 14-016.00-047 and 14-016.00-002 which includes 14-016.00-002- M0002; that are pursuing annexation into the Town of Townsend
- a. TM Mangeri shared that he and the Deputy Town Manager have been working with properties attempting to annex. One property, the county has gone back to ask what their intended use was, TM Mangeri has in return asked Mr. Sparco about his intended use. Mr. Sparco has said whatever is best for the Town, he is happy to develop the parcels. Based on discussions with Council, TM Mangeri has suggested that mixed use, retail, or commercial/ light industrial would be appropriate. Mr. Sparco does not disagree, and TM Mangeri will notify the county. The reason the county wants to know, is due to there being less water needed for businesses versus residential development such as Town homes. Regarding the other property, the county did not have any problems with.
 - b. TM Mangeri continues to get calls regarding interest to annex into Town. One call is regarding interest in developing a 58-acre parcel. This interest further explains the need to be prepared for additional development.

4. Regarding the CAREs Act, multiple items have been submitted for reimbursement preapproval. TM Mangeri has been speaking with the Chief Financial Officer at the county to discuss submissions. An extension to spend CAREs Act funds has been provided through December and the funds need to be spent. This is a significant amount of money and the renovations to old town hall have been submitted for preapproval.
5. Regarding ARPA funds, one of the uses could be for wastewater. If the wastewater feasibility study comes back saying this would be a good option, it is likely that ARPA funds could be used for wastewater infrastructure. TM Mangeri is also working on an allocation prioritization plan and the final rule is still being awaiting, as it is still under interim rule.
6. TM Mangeri attended the state tax ditch workshops, and the Town has been part of the group asked to rewrite regulations which will be helpful as the Town has a tax ditch.
7. The Town is in the process of completing the annual audit with the auditors. They are working on the preliminary report and once it is finalized, it will be provided to Council.
8. **ACTION ITEM:** Discussion and possible vote on contractor for and improvements to Old Town Hall.
 - a. TM Mangeri shared that he walked through old town hall with three bidders. The bids came in at \$33,000, \$109,000, and the third contractor did not submit their bid in time. After speaking with the builders and receiving their bids, TM Mangeri believes it is in the best interest of the Town to accept the bid for \$33,000 to restore the building to allow staff to work in there with comfortable spacing and air filtration.
 - b. CM Mertz asked if gas heat would be installed instead of electric heat was the cheaper alternative than gas, because the new development behind this area may be getting gas. TM Mangeri explained that gas will not be placed in that area as that gas line will be coming through Rt. 71. TM Mangeri met with Chesapeake and thought it would be helpful for gas to come up South St. Chesapeake said that in Delaware, they have to place it where they know the gas will be wanted and they know the developers will want the gas. Their plan is to come up Main St. and go out to Summit Bridge. The advantage of that, is that it will allow those on the other side of Summit Bridge to receive gas.
 - c. CM Mertz also asked if both bids would bring the buildings to ADA compliance. TM Mangeri shared that the building is grandfathered due to its age, but as the Town is renovating it, steps will be taken to meet ADA compliance such as a ramp into the restroom instead of the current step up. The front and rear of the building are both flat. The only other item is the office in building, which is a single step up, with no way to modify that and there are reasonable accommodations that can be made for this issue.
 - d. CM Mertz also asked that since the future Police Chief is a relevant stakeholder, would it be helpful to vote on these bids now, or wait until

he begins. Mayor Miller advised that it would be relevant to vote on it now as it is on the agenda and then bring him in. TM Mangeri shared that the Chief would not be a stakeholder to decide if the building should be there, that has been decided and was an internal discussion. The Police Chief will be onboarded to begin the reinstatement of the Police Department.

- e. CW Clarke asked how the quotes were secured and if the Town reached out to the Office of Supplier Diversity to reach out to veteran businesses, minority businesses, and small businesses. TM Mangeri advised that this was not considered an item needing to go out for public competitive bid, but he believes the lowest bidder is a small business.
 - f. *CM Lobdell made a motion to award the bid in the amount of \$33,000 to Delaware Remodeling. CM Dugan seconded the motion.*
 - 1. Mayor Miller asked for any discussion on the motion. Ms. Wolfe asked Mayor and Council if there was any knowledge of plans for a Delaware State Police (DSP) building to be built locally, there is word that DSP would be building one and the Town should look into this. Ms. Wolfe advised that she understands the Town will be applying for grants, but the possibility of a local DSP station could save the Town money. Mayor Miller advised that he was unaware of this but would look into this. Mayor Miller also advised that the Town currently spends around \$65,000 per year in additional supplemental patrols to state police, so adding the Town Police department would allow the Town to redirect those funds to a Town Police department and would also allow for the Town police department to be more focused on the Town itself. Mayor Miller shared that he would look into this.
 - 2. Mr. Fitzhugh asked about streetlights along Main Street to Route 71. TM Mangeri advised that the area that Mr. Fitzhugh is talking about is not within the incorporated area of the Town. Mayor Miller advised that this discussion was not related to the topic of discussion. TM Mangeri advised that he would look into this issue. Mayor Miller requested the discussion be held until the end of the meeting.
 - 3. No further discussion on the topic.
 - 4. *Vote: Voice vote of Council- all yea's, no nays.*
9. **ACTION ITEM:** Discussion and possible vote regarding American Rescue Plan Legal Service through an agreement with the Delaware League of Local Governments, Office of the Governor, and Office of the State Treasurer.
- a. TM Mangeri shared that the state and the Delaware League of Local Governments have partnered to ask municipalities if they would like to join in on obtaining legal services specifically for American Rescue Plan Funds, for guidance on legal spending in accordance with federal guidance, which is forthcoming. The cost to each participating municipality is 0.4% of the grant, which would cost the Town around \$3,400. These funds would come directly out of the grant awards. Additionally, this would help the Town determine how others are

spending the funds and would help the Town determine what the Town is allowed to spend the funds on.

- b. *CM Dugan made a motion to approve the Town's participation in the ARPA legal services. CW Clarke seconded the motion. Vote: Voice vote of Council- all yea's, no nays.*

VIII. Committee Reports

a. Finance Committee: Chair: Mayor Miller, Co-Chair: Councilman Dugan

1. Review and possible discussion on the August 2021 Budget vs. Actual Report.
 - a. No discussion
2. **ACTION ITEM:** Discussion and possible vote to approve Resolution 2021-013: A Resolution to Amend the 2021-2022 Budget.
 - a. Mayor Miller shared that he and CM Dugan have worked on a resolution to amend the 2021-2022 budget as whenever you have a budget and you need to adjust line items, an amendment is necessary. Included in the proposal are a number of amendments to ensure a balanced budget.
 - b. TM Mangeri provided a reading of resolution 2021-013 A Resolution to amend the 2021-2022 Budget.
 - c. *CM Lobdell made a motion to approve resolution 2021-013 A Resolution to amend the 2021-2022 Budget, as read by the Town Manager. CM Dugan seconded the motion.*
 - d. *Vote: Voice vote of Council- all yea's, no nays.*
 - e. Resolution 2021-013 A Resolution to amend the 2021-2022 Budget, approved.

b. Human Resources Committee: Chair: Mayor Miller

1. **ACTION ITEM:** Discussion and possible vote to approve Resolution 2021-014: A Resolution to Authorize Personnel Actions; The Hiring of a Police Chief.
 - a. TM Mangeri provided a reading of Resolution 2021-014: A Resolution to Authorize Personnel Actions; The Hiring of a Police Chief.
 - b. *CM Mertz made a motion to accept Resolution 2021-014: A Resolution to Authorize Personnel Actions; The Hiring of a Police Chief as read. CM Lobdell seconded the motion*
 1. Mayor Miller asked if there was any discussion. Mr. Fitzhugh asked what qualifications the Police Chief needed to have. Mayor Miller shared that they needed to be a certified police officer in the State of Delaware among other qualifications. Mayor Miller shared that Mr. Longo has experience as a police chief in other Towns, experience with obtaining grants and funding and has the necessary physical and background requirements. Mr. Fitzhugh also asked if Mr. Longo needed to pass a physical and other training processes. Mayor Miller advised that Mr. Longo has already been through that, and that Mr. Longo was fully vetted to ensure he met the qualifications of the job.
 - c. *Vote: Voice vote of Council- all yea's, no nays.*

- d. Resolution 2021-014: A Resolution to Authorize Personnel Actions; The Hiring of a Police Chief, approved.
- e. TM Mangeri introduced Mr. Longo. Mr. Longo thanked the Mayor, Council, and Town Manager for selecting him for the position and shared that he looked forward to working with members of the community, Council, the Mayor, and staff.

c. Public Works Committee: Chair: Councilman Dugan, Co-Chair: Councilman Mertz

- 1. CM Mertz advised that there seemed to be a contractor working at a house along Wiggins Mill which is causing some damage to the sidewalk. TM Mangeri advised that he will review the area to see what is wrong with the area.

d. Land Use and Development Committee: Chair: Councilman Lobdell, Co-Chair: Councilman Dugan

- 1. A status update on the 2020 Comprehensive Plan PLUS review comments.
 - a. TM Mangeri advised that he spoke with representatives from the OSPC and asked Mayor Miller if the second submittal of the Comprehensive Plan to the PLUS committee could be completed by the end of October. Mayor Miller advised that he would continue with edits and have the plan ready for the November PLUS review.
 - b. TM Mangeri also advised that the last step before the final approval by the state, will be Council review and approval.
- 2. CM Dugan asked if the discussions were continued regarding the transfer of the New Castle County Park to the Town. TM Mangeri advised that he has spoken to the county, and it could take six to nine months to transfer the property and he is working with the county to begin the process. TM Mangeri also advised that he has begun the process to request a little library be added to the county park.

e. Veterans Committee: Chair: Councilwoman Clarke, Co-Chair: Mayor Miller

- 1. Discussion on Veterans Day Event
 - a. Mayor Miller shared that the most recent conflict with Afghanistan has led to 1,835 soldiers giving their lives up. Additionally, there were many Delaware soldiers who have their lives in many of the wars that the US fought in, including WWI to present day wars. Between these wars, there were 22 names that Mayor Miller was able to narrow down from the Townsend, Middletown, Odessa area. Mayor Miller shared that he is working with CW Clarke to plan to hold a ceremony at the park gazebo on November 11th- Veterans Day- to read these names and recognize their sacrifice. More details are to come.

f. Public Safety Committee: Chair: Councilman Mertz, Co-Chair: Councilwoman Clarke

- 1. TM Mangeri advised that he spoke with the company regarding the speed sign that the Town was awarded and there is currently a chip shortage, causing the sign to be on back order.
- 2. LT Popp provided a report on the September 2021 Police Activity.

- a. During the month of September, there were 33 incidents of records, including one criminal mischief, three identity thefts, seven domestic related incidents, and 22 noncriminal related incidents.
 - b. Additionally, there were six collision incidents, all which were along Summit Bridge: three in the area of Pine Tree Road and three in the area of Money Road. One of these collisions was DUI related.
 - c. In September there were 133 traffic citations issued.
 - d. There were 45 hours of additional directed patrol resources in Town.
 - e. Lt. Popp shared that a drug overdose in Town was not fatal. The individual went to the fire department and received Narcan upon arrival.
 - f. Lt. Popp also shared that there was a complaint of a fight on September 28th near Grears Corner Rd, where one person was struck with a baseball bat and another was stabbed. This came to the attention of police when the stabbed victim arrived at the Middletown ER. Lt. Popp shared that this was one of two serious isolated incidents between individuals who knew each other, and only one of the subjects were from Townsend and the others were from Middletown.
 - g. Lt. Popp shared that since he has begun this is the first time two serious incidents occurred.
 - h. Lt. Popp shared that the Governor's taskforce is has been requested to focus on the Townsend and Smyrna area. Anytime an intelligence report is received, he directs the information to the Governor's taskforce to see if they could provide any additional support. Lt. Popp explained that the Governor's Task Force has two units which focus on drug related crimes and quality of life crimes. GTF does a lot of quality of life, hotel/ motel addiction and work with probation officers on drug related work. They are in unconventional vehicles, not in uniform to allow the opportunity to get information on concerns in the area such as drug sales. They can conduct surveillance and get information.
3. **ACTION ITEM:** Discussion and possible vote to approve Resolution 2021-015: A Resolution to Adopt the Town of Townsend Continuity of Operations Plan.
- a. TM Mangeri provided a reading of Resolution 2021-015: A Resolution to Adopt the Town of Townsend Continuity of Operations Plan.
 - b. Mayor Miller shared that a plan like this is essential to ensure operations can continue in a time of crisis.
 - c. *CM Mertz made a motion to approve Resolution 2021-015: A Resolution to Adopt the Town of Townsend Continuity of Operations Plan. CW Clarke seconded the motion. Vote: Voice vote of Council- all yea's, no nays.*
 - d. Resolution 2021-015: A Resolution to Adopt the Town of Townsend Continuity of Operations Plan, approved.
 - e. TM Mangeri shared that the document would be updated overtime to update items such as contact information, but those items would not call for a new resolution to be approved each time. Due to the confidential

information contained in the document pertaining to operations and personal information, the document is not public.

g. Community Engagement Committee: Chair: Councilwoman Clarke, Co-Chair: Councilman Lobdell

1. **ACTION ITEM:** A discussion and possible vote on trick-or-treating for Halloween 2021.
 - a. CM Lobdell shared that they did not need to vote to approved trick- or-treating time, and Council discussed continuing with holding trick- or-treating on Halloween as done in the past. Additionally, they further discussed holding trick- or- treating from 6 – 8 pm, with children in costume off the road by 9 pm on Sunday, the 31st.
 - b. CM Mertz shared that there was a well written document from last year regarding the guidelines for Halloween. CM Mertz asked if the guidelines from the previous year could be re-issued. TM Mangeri shared that he would share that information on the website and Facebook.
2. TM Mangeri shared that the October Movie Night would be held on Friday, October 22nd at 7pm. The movie being presented will be The Nightmare Before Christmas. The movie will be projected on a screen and attendees will sit on the lawn with masks and social distancing encouraged. The weather will be monitored and will be moved to the next day as a rain date, if needed.
3. Iron Source is gifting lights for the event and GFL will be gifting pumpkins to the children and providing recycling bins for the area.
4. CW Clarke shared that she is working to continue to do a newsletter for the Town. She will coordinate with the volunteer who used to assist with the newsletter and CM Mertz.
5. CW Clarke also shared that she and CM Lobdell are working with the elementary school to discuss the possibility of reinstating the Junior Council.

h. Parks and Recreation Committee: Chair: Councilman Lobdell, Co-Chair: Councilman Mertz

1. CM Mertz asked if there were any documents that Council needed to review for the New Castle County Park to be turned over to the Town. Councilman Carter and TM Mangeri advised that this would be forthcoming.

i. National Wildlife and Historic Preservation Committee: Chair: Councilwoman Clarke

1. CW Clarke advised that the National Wildlife photo contest would be closing on October 17th.
2. CW Clarke asked Council if they had any feedback on the historic preservation presentation from September. Mayor Miller advised that he did not have any questions at that time but would like to set up a meeting with CW Clarke to discuss.

IX. Citizens Comments & Participation

- a. Mayor Miller reminded visitors that he would like to have citizens comments pertain to the items on the agenda and that each citizen would be give three minutes to comment.
- b. Ms. Wolfe asked for what the plan would be to deal with feral cats and shared that her cats do not cause harm. TM Mangeri shared that his intent is not to trap the cats; but the Town does

have to enforce the Town Code, so feeding the feral cats and creating unsanitary conditions would be what the Town is enforcing. TM Mangeri also advised that the concern mentioned earlier in the meeting was not about Ms. Wolfe's cats. There are concerns of feral cats elsewhere. TM Mangeri is trying to find the most humane method of helping with the feral cat issue.

- c. New Castle County Councilman David Carter shared that the county has completed their redistricting and Townsend is staying in his district. CM Carter's district size was reduced but he still has 53,000 constituents. CM Carter clarified that this was the county redistricting. The vote on redistricting is forthcoming.
- d. The tax reassessment for the county is through Tyler, which will be reassessing every property. The reassessment has not been done since the 1980's. They will be visiting most homes; they do not need to go inside but will be looking at the houses. If CM Carter gets word that they are scheduling for Townsend, he will let the Town know. Since there were county budget savings; largely due to the CAREs Act, there will not be any increase for the county. CM Carter will send an FAQ to the Town regarding the reassessment. Questions regarding the reassessment could be directed to CM Carter. CM Mertz asked if there would be an opportunity to appeal the reassessment and CM Carter confirmed that there would be.
- e. CM Carter shared that there have been discussions with Town Council regarding affordable housing and housing rehab plans. The county will be voting on the possibility of putting \$30 million into an affordable housing trust fund. CM Carter asked to speak with TM Mangeri to discuss this.
- f. Regarding feral cats, CM Carter shared that the county is also dealing with this concern and is considering breaking their contract with the state Animal Control for the county and hiring Kent County to assist with this, and their biggest concern is dog barking. NCC currently requires a police officer to go to dog barking calls and it may be better suited for animal control officers to go to those calls.
- g. CM Carter suggested, since the Town will have a new police department, that the Town consider a contract with New Castle County for the behavioral health program. A contract was just done with Middletown. The behavioral health unit has qualified people like social workers, nurses, and trained officers available to go out to do mental health checks and help people receive treatment and refer them to services. An agreement could be considered at no cost to the Town. CM Carter is available to provide Council and TM Mangeri with any additional information.
- h. Mayor Miller asked if he would need to contact Miss Utility before installing a little library at the county park. CM Carter confirmed that he should.
- i. CM Carter also mentioned he would like to continue discussions regarding county youth programs in Town.
- j. CM Mertz asked for an update on the county library to be built. CM Carter shared that the funding is up to \$26 million, rather than \$24 million. The building in has begun and the library is still on schedule to be opening at the end of March and dedicated late April, early May. Even with supply issues, the library is still on track. If you would like to donate to the library, you do have the option to become a "Friend" of the library. CM Carter can provide anyone with the contact information for the "Friends" group.
- k. TM Mangeri shared that there was a question in the Zoom chat regarding affordable housing- CM Carter mentioned \$30 million for affordable housing and the individual asked how many

units that would be? CM Carter shared that this will be county wide and will be a mix of housing type- some of the funding will be rental assistance, some may be subsidizing rental units, some may be vouchers, and some may be direct construction. There will be a mix of a lot of things. Steve Sigh asked for clarification on the housing. CM Carter shared that the determination of units has not been decided, there is a shortage of affordable housing, but the funding will not solely be for new construction but could be for other items such as vouchers and homebuyers' assistance to secure and stabilize housing. Mr. Sigh shared that the area is getting very populated and busy. CM Carter shared that there is a lot of development already that are not affordable houses.

- l.** CM Lobdell said that he would like to share something, addressed to no one in particular, but to get something out there for people. Now that the pandemic is ending, there are going to be a lot of things going on in Town; the Town is growing, there are a lot more houses being built, the police department starting, and a lot of moving wheels and everyone will see a lot of items on the agenda, a lot of items in the meeting minutes and a lot of meeting documents on spending and grants. Most of the Council and others in the Town have noticed a lot of misinformation being posted on social media and follow up discussions taking items in different directions. Council isn't going to respond to everything they see, as it is not viable. But CM Lobdell shared for those who read the meeting minutes, he encourages them to come to Town meetings. There is a virtual way for those who cannot come in person to attend online, and meetings are now also open for in person meetings. Council and Town staff all have emails and residents are encouraged to contact Council and staff and ask any questions they may have. CM Lobdell shared that social media is not helping anybody and is putting the Town and Council in a bad light; which is fine; but he would like everyone to understand that Council is here to do what they see is best for the Town, to plan the growth in Town responsibly, and he encourages anyone to email or call Council to discuss any questions or concerns. CM Lobdell also shared that Council is happy to meet with anyone who asks and encourages people to not rely on everything they see on social media and the follow up discussions because a lot of it is really nonsense. CM Lobdell wanted to put this out there on the record so that anyone following up on meetings can know that Council is there to provide the facts on items.
- m.** Mayor Miller reiterated that he and Council are there to serve and listen to the public and anyone from the public is encouraged to reach out. CM Dugan shared that he agrees with CM Lobdell and that this Council is truly looking out for the best interest of the Town. When you talk about the Police, the population is growing not only in Town but in the surrounding area. To prevent concerns with a growing population, the Town has decided to hire the Police Chief. Regarding a tax rate increase, Council has not discussed this, but the county assessment would lead to a larger increase with the County. CM Dugan shared that the Town has done studies on how to move forward with a police department. Individuals may be drawn to the Town to commit crimes if there weren't a police department. Additionally, Council was elected to look at the big picture and things that are coming, to prepare for the future.
- n.** Mayor Miller shared that this is why he explained what the long-term plans are for the Town and why the Town is also working on the Comprehensive Plan to plan for the Town's future. Everyone may not agree on the decisions, but the Council decisions are made for the best interest of the Town.
- o.** CM Mertz shared that it takes a lot of energy to do the jobs of Council people and Town staff and responding to social media could take a lot of pressure and the best place to talk to all of

Council together is in Council meetings to talk with all of Council together. CM Mertz shared that he is excited to see people in Town Hall for Council meetings.

- p.** Ms. Wolfe shared that she would like to see those of the old Town and new Town come together to look out for one another. This could be hard to do because of divisions with the developments and HOA's. Ms. Wolfe suggests doing something big to bring everyone together, such as a pig roast community event in the Town Park. Mayor Miller shared that he would be happy to discuss this with Ms. Wolfe and hear about her ideas. Ms. Wolfe shared some ideas for activities that could be held during the pig roast. She also shared that this would be something fun for the kids and teenagers in the area. She also shared that she is willing to volunteer for the event.
- q.** CW Clarke shared that she would like to encourage Ms. Wolfe to volunteer with the Community Engagement Committee for Town events. Additionally, Ms. Clarke shared that she agrees and would love to have activities for students in the area such as internships for high schoolers and those ideas are still in the works. CW Clarke also likes the idea of going door to door to hand out newsletters and encourage involvement.

X. Recess Council Meeting to Convene Executive Session

- a.** *CM Mertz made a motion to recess the Council meeting to convene in Executive Session. CM Lobdell seconded the motion.*
- b.** The Council meeting was recessed, and the Executive Session was convened at 9:48 pm.

XI. Convene Executive Session: In accordance with 29 Del. C. §10004 (B)(9) the Town Council will be meeting in executive session strategy session relating to potential litigation with Town Attorney Townsend.

XII. Close Executive Session & Re-convene Council Meeting

- a.** *CM Dugan made a motion to close executive session and reconvene the Council Meeting. Vote: All yeas, no nays.*
- b.** The Council meeting was reconvened at 10:35 pm.

XIII. Adjournment.

- a.** *CM Mertz made a motion to adjourn the meeting. CM Lobdell seconded the motion. Vote: Voice vote of Council- all yea's, no nays.*
- b.** Adjournment at 10:36 pm.